HIGH COURT OF CHHATTISGARH AT BILASPUR

(Division Bench)

Coram: Hon'ble Shri Jagdish Bhalla, Ag.C.J. &
Hon'ble Shri Satish K. Agnihotri, J.

Writ Petition No. 2108 of 2003

Petitioners	1.	Mohan Singh Kanwar s/o Shri Mukund Singh Kanwar, Aged 35 years, occupation-Agriculturist, r/o village-Eraf, post- Patparra via Pali, district Korba (C.G.)
	2.	Dev Kumar Kaneri s/o Khamhan Ram Kaneri, aged 29 years, occupation-Agriculturist, r/o village-Uchbhatti, Post-office-Selar via Ratanpur, district Bilaspur (C.G.)
	Versus	
Respondents	1.	State of Chhattisgarh through The Chief Secretary, Govt. of Chhattisgarh, D.K.S. Building, Raipur (CG)
	2.	The Secretary, Housing & Environment Department, Govt. of Chhattisgarh, D.K.S. Building, Raipur (CG)
	3.	Chief Executive Officer, Capital Area Development Authority, Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

Shri Indrasen Sahu, Advocate for the petitioners.

Shri G. D. Vaswani, Govt. Advocate for the respondents/State.

ORAL ORDER

(Passed on this 22nd day of November, 2007)

The following oral order of the Court is passed by

Hon'ble Shri Jagdish Bhalla, Acting C.J.

The petitioners have approached this Court with a prayer that direction be issued to the respondents 'not to establish the new capital without making available the basic

facilities like drinking water, health and education for the entire State'. The only ground urged before this Court is that the State must first make available the basic facilities like drinking water, health and education to the entire State only thereafter may establish a new capital.

We have been informed by the learned Government counsel that the work of the new capital is in progress and efforts are also being made by the State Government to provide every basic facilities to every citizen. The State is committed to provide basic facilities to every citizen.

It is totally the domain of the State to select and go for construction of the new capital.

Since we have been assured on behalf of the State that all basic amenities would be made available at the new place of capital, no further interference is warranted. Accordingly, the writ petition is dismissed.

Sd/-
Acting Chief Justice

Sd/-
Satish K. Agnihotri
Judge

Thaku